## DOCKET FILE COPY ORIGINAL

## RECEIVED

MAY - 6 1998

Before the FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

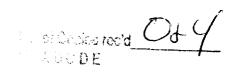
In the Matter of	)		
	)	CC Docket No. 92-7	7
Billed Party Preference for	)		
InterLATA O+ Calls	)		

## AT&T Comments on Petitions for Reconsideration

AT&T Corp. ("AT&T") submits the following comments on the petitions for reconsideration of the Second Report and Order and Order on Reconsideration, FCC 98-9, released January 29, 1998 and published in the Federal Register on March 10, 1998 ("Second Report").

AT&T supports the requests for reconsideration of the implementation schedule established in the <u>Second Report</u>.<sup>2</sup>
AT&T agrees that introduction of new systems and capabilities by operator services providers ("OSPs") could take substantially more than the few months provided for in the Commission's order.<sup>3</sup> Moreover, as the Joint Commenters

<sup>&</sup>lt;sup>3</sup> AT&T (n.2) indicated that it too will need additional time to comply with the requirements of the <u>Second Report</u> and that it will apply for a waiver of the July 1, 1998 implementation date.



Petitions were filed by Ameritech, AT&T, Bell Atlantic, BellSouth Telecommunications, Inc. ("BellSouth"); Citizens United for Rehabilitation of Errants ("C.U.R.E."); Cleartel Communications, Inc., Operator Service Company and Teltrust Communications Services, Inc. (collectively "Joint Commenters"); Inmate Calling Service Providers Coalition; One Call Communications, Inc. ("Opticom") and U S WEST.

Joint Commenters, pp. 4-15; Opticom, p. 3. See also Ameritech, p. 17; BellSouth, p. 3; U S WEST, p. 9.

(p. 11) state, the Commission has already granted a blanket extension to OSPs that rely on store and forward technology, and it would be discriminatory to require OSPs who also face technical implementation issues to comply with the July 1 date. Past experience indicates that the principal concerns regarding high OSP rates do not result from the actions of larger carriers such as AT&T, but from the practices of smaller OSPs, many of whom rely on store and forward technology. Thus, AT&T supports the Joint Commenters' request to extend the effective date of the rules for all OSPs to October 1999.

AT&T also supports the numerous petitioners who ask the Commission to clarify that its rules only require OSPs to provide rate information regarding charges for which they will bill. As AT&T (p. 3) noted, location-specific charges imposed by aggregators vary widely and are generally unknown to OSPs. Thus, AT&T fully concurs with Ameritech's (p. 21) statement that "[t]o the extent that the Commission did not intend to limit this requirement to disclosure of actual or maximum PIFs which an OSP has authorized through contract or

Indeed, prior proposals to establish "rate benchmarks" suggested that such benchmarks be set at a level <u>above</u> the average of the rates of AT&T, MCI and Sprint.

Ameritech, pp. 20-21; Bell Atlantic, p, 3; BellSouth, n.7; U S WEST, pp. 10-12. On calls from inmate phones, this would include all surcharges billed by the OSP (see C.U.R.E, pp. 5-6). Moreover, the time taken to offer and provide rate information would not be billable to the called party (id., p. 2).

by billing, Ameritech can say unequivocally that it cannot comply with this requirement."

AT&T also agrees with Bell Atlantic (p. 2) and BellSouth (p. 2) that the Commission should clarify that its erratum does not override the text of the Second Roport and extend the OSPs' obligations to calls dialed on a 0- basis. Such an interpretation would be inconsistent with the title of this proceeding. Moreover, 0- interstate calls are typically routed to a DEC operator and then to carrier selected by the caller, not to a carrier chosen by an aggregator.

WHEREFORE, the Commission should reconsider and/or clarify the Second Report in a manner consistent with AT&T's comments herein.

Respectfully submitted,

AT&T CORP.

 $B_{\mathbf{V}}$ 

Mark C. Rosenblum Peter H. Jacoby Richard H. Rubin

Its Attorneys

Room 3252I3 295 North Maple Avenue Basking Ridge, NJ 07920 (908) 221-4481

May 6, 1998

## CERTIFICATE OF SERVICE

I, Rena Martens, do hereby certify that on this 6th day of May, 1998, a copy of the foregoing "AT&T Comments on Petitions for Reconsideration" was served by U.S. first class mail, postage prepaid, to the parties listed below.

Gary L. Phillips Ameritech Suite 1020 1401 H Street, N.W. Washington, D.C. 20005

John M. Goodman Michael E. Glover Bell Atlantic Telephone Companies 1300 I Street, N.W. Washington, D.C. 20005

M. Robert Sutherland Theodore R. Kingsley BellSouth Corporation Suite 1700 1155 Peachtree St., N.E. Atlanta, GA 30309-3610

Christopher A. Holt Yaron Dori Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. 701 Pennsylvania Avenue, N.W. Washington, D.C. 20004-2608 Attorneys for Citizens United for Rehabilitation of Errants

Dana Frix Kathleen L. Greenan Swidler & Berlin, Chartered 3000 K Street, N.W. Washington, D.C. 20007 Attorneys for Cleartel Communications, Inc., Operator Service Company, & Teltrust Communications Services, Inc.

Albert H. Kramer Robert F. Aldrich Jacob S. Farber Dickstein Shapiro Morin & Oshinsky LLP 2101 L Street, N.W. Washington, D.C. 20337-1526 Althorneys for Inmate Calling Services Providers Coalition

Randall B. Lowe Piper & Marbury L.L.P. 1200 19th Street, N.W. Washington, D.C. 20036 Attorney for One Call Communications Inc. d/b/a OPTICOM

Kathryn Maric Krause Dan I. Poole U S WEST, INC. Suite 700 1020  $19^{\text{th}}$  Street, N.W. Washington, D.C. 20036